

103D CONGRESS
1ST SESSION

S. 291

To amend the Alaska National Interest Lands Conservation Act to improve the management of Glacier Bay National Park, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3 (legislative day, JANUARY 5), 1993

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska National Interest Lands Conservation Act to improve the management of Glacier Bay National Park, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 For the purposes of this Act, the term “park” means
5 Glacier Bay National Park as redesignated, established or
6 expanded under section 202(1) of the Alaska National In-
7 terest Lands Conservation Act (16 U.S.C. 410hh–1).

8 **SEC. 2. SUBSISTENCE USE.**

9 Subsistence fishing and gathering by local residents,
10 including but not limited to the residents of Hoonah, shall

1 be allowed in the park in accordance with the provisions
2 of title VIII of the Alaska National Interest Lands Con-
3 servation Act (16 U.S.C. 3111 through 3126): *Provided*,
4 That no permanent structures associated with such activi-
5 ties, including but not limited to set net sites, fish camps,
6 cabins, or other related facilities, may be constructed with-
7 in the park.

8 **SEC. 3. COMMERCIAL FISHING.**

9 (a) In accordance with the provisions of this section,
10 and only within the nonwilderness marine waters of the
11 park, commercial fishing utilizing the methods and means
12 in use in the park between 1980 and 1991 shall be allowed
13 under valid licenses or permits issued under applicable
14 law. Such means and methods include and shall be limited
15 to: seining for salmon, but only in Excursion Inlet, troll-
16 ing, longlining and the use of pots and ring nets.

17 (b)(1) Not later than twelve months after the date
18 of enactment of this Act, the Secretary, in consultation
19 with the State of Alaska, the National Marine Fisheries
20 Service, the International Pacific Halibut Commission and
21 other affected agencies shall develop a plan for a com-
22 prehensive multiagency research and monitoring program
23 to evaluate the health of fishery resources in the
24 nonwilderness marine waters of the park, to determine
25 whether and to what extent commercial fishing in such

1 waters may have a detrimental impact on park resources,
2 and to determine appropriate levels and methods of com-
3 mercial fishing to be allowed within such waters. The Sec-
4 retary shall promptly notify the Committee on Energy and
5 Natural Resources and the Committee on Commerce of
6 the United States Senate and the House of Representa-
7 tives when the plan is complete.

8 (2) The Secretary shall complete the program set
9 forth in the plan not later than seven years after the date
10 of notification to the congressional Committees as pro-
11 vided in paragraph (1) and transmit the results of the pro-
12 gram to such Committees.

13 (c) Not later than two years after the transmittal of
14 the results of the program as required in paragraph
15 (b)(2), the Secretary, in consultation with the State of
16 Alaska, affected local communities, appropriate Alaska
17 Native groups and appropriate environmental and com-
18 mercial fishing groups, shall promulgate regulations,
19 based on the results of the program, which the Secretary
20 deems necessary to protect the marine and terrestrial
21 ecosystems preserved in the park, the scientific values of
22 such ecosystems and resources preserved in the park and
23 other park resources (including visitor enjoyment thereof)
24 from any significant adverse impact which may result
25 from commercial fishing activities.

1 (d) Prior to the implementation of such regulations,
2 the annual average commercial fishing effort for each spe-
3 cies within the nonwilderness marine waters of Glacier
4 Bay north of a line drawn point to point from Point
5 Carolus to Point Gustavus shall not exceed the average
6 annual effort which existed for that species during the pe-
7 riod between 1980 through 1991, as determined by the
8 State of Alaska in consultation with the Secretary.

9 (e) To the extent possible, commercial fishing seasons
10 in the park, including those within Glacier Bay north of
11 a line drawn point to point from Point Garolus to Point
12 Gustavus shall be consistent with those established for
13 waters adjacent to the park.

14 **SEC. 4. TEMPORARY RESTRICTIONS.**

15 If the Secretary determines it is necessary to do so
16 in order to protect fish stocks, wildlife populations, public
17 safety, or to effectively conduct research studies, he shall,
18 after consultation with the State, restrict, on a temporary
19 basis, areas where and times when commercial fishing (in-
20 cluding particular means and methods thereof) may be
21 allowed.

22 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

23 There are hereby to be appropriated such sums as
24 may be necessary to carry out the purposes of this Act.

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